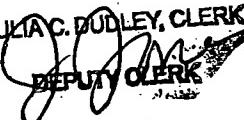


FEB 26 2018

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

ELIZABETH SINES, et al.,)	Case No. 3:17-cv-00072-NKM-JCH
)	
Plaintiffs,)	
)	
V.)	
)	
JASON KESSLER., et al.,)	
)	
Defendants.)	
)	
)	
)	
)	

**DECLARATION OF JOHN DOE IN SUPPORT OF JOHN DOE'S MOTION TO
QUASH**

I, John Doe, pursuant to 28 U.S. Code § 1746, do hereby declare as follows:

1. I am a resident and citizen of the United States residing outside of the Western District of Virginia. Unless otherwise stated, I have personal knowledge of all facts set forth in this declaration, and I would, and could, testify competently thereto if called upon to do so.
2. I am not a party in the underlying litigation or one of their counsel. I have never met any of the parties in the underlying litigation, or any of their counsel.
3. I have some interest in some of the ideas promulgated by the recent cultural and political movement known as the "alt-right". I agree with some of those ideas, and disagree with others. I have followed the "alt-right" on the Internet since about 2015. I identify as a member of the "alt-right".

4. I maintain a Twitter account under a pseudonymous twitter handle and user name. When creating that account, I provided twitter with an email address, which I use. That email address is associated with (in the records of the provider of that first address) another email address that incorporates my name. Additionally, I have verified my Twitter account by providing Twitter with my telephone number, which is associated with my name, address and other information in the records of my telephone provider.

5. I use my Twitter account primarily to engage in political discussions with other Twitter users online. Virtually all of the accounts I follow on Twitter are sources of right-of-center political content and commentary. Most of the accounts I follow on Twitter are on the far-right or "alt-right". I use my Twitter account to comment on news articles, generally having to do with politics, culture or science, which are shared by people I follow on Twitter. I also use my Twitter account to participate in political discussions and debates with others. That usually occurs in response to a comments by another user that has been retweeted to my timeline by accounts that I follow. Almost all my Twitter use involves commentary and discussion on political or cultural issues. My goal in these discussions is to convince the people I am responding to of the merits of my positions, and to convince third party observers of the debate of the merits of my position. I also debate with people on my own side if we have a point of disagreement, or to work out weaknesses in our positions.

6. I also use Twitter to engage in direct messaging with accounts that I follow and that follow my account. These direct message exchanges are generally discussions about political or cultural issues that I would prefer not be publicly posted to Twitter.

7. My Twitter account follows at least one of the Twitter handles listed as a "Primary User" in paragraph 19 of Plaintiffs' subpoena to Twitter, Inc. (Doc. 226-2 at 5). I

responded to a tweet from that account between June 1, 2017 and August 17, 2017. Therefore, my Twitter account is a "Secondary User" under the definition in paragraph 20 of the Twitter subpoena (Doc. 226-2 at 5).

8. I regularly visit several right-of-center websites that are devoted to political and cultural commentary. I have visited The Daily Stormer website mentioned in the subpoenas to Cloudflare and Godaddy. Docs. 226-3 & 4. Such visits have been very rare. More frequently (but still unfrequently), I have visited the AltRight.com website mentioned in the Cloudflare and Godaddy subpoenas. I visit AltRight.com to read political and cultural essays posted there, and to listen to a political analysis podcast called "Alt-Right Politics". That show is sometimes hosted by Defendant Richard Spencer.

9. I am a very frequent visitor to the Right Stuff website mentioned in the Cloudflare subpoena. I visit the Right Stuff to listen to podcasts on political and cultural issues, e.g., "Fash The Nation", a weekly political analysis podcast (<https://therightstuff.biz/category/fash-the-nation/>). I also participate in a user forum on the Right Stuff website, where I engage in discussions with other users on political and cultural issues of the day (<https://forum.therightstuff.biz>). I probably visit the Right Stuff website every day. I am certain that I would have visited it sometime between August 1, 2017 and August 19, 2017. Accordingly, traffic logs for the Right Stuff website for that date range will reflect my visits. Those traffic logs are sought in the Cloudflare subpoena.

10. I registered for a Hatreon account, in the hopes of anonymously funding the internet content creators (primarily podcast producers), whose shows I listen to, and also political and cultural essayists and political activists. That Hatreon account is associated an email address, which itself is associated with (in the records of the provider of that first address)

another email address that incorporates my name. I do not believe that I have ever actually provided money to anyone through Hatreon, however.

11. I fear significant, negative personal and professional consequences in the event that my name becomes publicly associated with my online reading and listening habits, associations, or my twitter posts and direct messages. I am aware of the consequences that other members of the "alt-right" have suffered as a result of their being "doxed", or publicly revealed. I am aware of stories about people in the "alt-right" who have lost their jobs as a result of being publicly identified, like Greg Conte (<http://www.foxnews.com/us/2018/01/06/maryland-substitute-teacher-fired-after-alt-right-views-discovered-by-students.html>) or who have been publicly disowned by their family, like Peter Tefft (<https://www.dailycaller.com/layer8/pete-tefft-father-letter-to-the-editor/>). I know that alt-right students who have been doxed face campaigns of harassment and intimidation on their campuses. One example would be Dan Kleve, whose school is being pressured to expel him (<http://www.newsweek.com/university-nebraska-wont-expel-student-who-boasted-being-most-active-white-802720>).

12. In the event that my name becomes publicly associated with my online reading and listening habits, my associations, or my twitter posts and direct messages, I believe that I will be fired from my job and ostracized from my social community. In fact, I doubt that I would be able to work again in my field. I also believe that my family and marital relations would be strained.

13. I also fear physical harm in the event that my name becomes publicly associated with my online reading and listening habits, my associations, or my twitter posts and direct messages. The community in which I live has an active group of "anti-fascist" activists, like the ones who rioted in Washington D.C. on Inauguration Day and famously attacked Defendant

Richard Spencer (<https://www.cnn.com/2017/01/20/politics/white-nationalist-richard-spencer-punched/index.html>). I am worried that if I am doxed, "anti-fa" in my community could physically harm me, or my family, in my home or in public, just as they have done to Richard Spencer and others.

14. The prospect and fear of being doxed makes me feel less willing to engage in spirited political debate online. I already find myself visiting certain political websites less frequently, and isolating myself from the online political discussion groups and communities in which I used to be an active member. I find myself being less candid in my online political discussions, not only with people on the other side of the political divide, but even with people on my own side. I am not willing to provide money to people whose political content I enjoy, or whose activism I support, for fear of being doxed.

15. I had no part in the planning or execution of the August 12, 2017 Unite The Right rally in Charlottesville, VA, or any of the other demonstrations described in the Complaint or the Amended Complaint. I have never been to Charlottesville, VA. I have not been to the Commonwealth of Virginia in two years.

I declare under penalty of perjury that the forgoing is true and correct

DATED: February 23, 2018

John Doe

/s/John Doe

subpoenadoe1@protonmail.com

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of February, 2018, a copy of the foregoing was submitted to the Clerk's office of the Charlottesville Division of the U.S. District Court for the Western District of Virginia at 255 W. Main Street, Room 304, Charlottesville, VA 22902 by U.S. Postal Service Express Mail. A copy of this submission was sent by email to the email addresses of the parties and counsel listed below.

/s/ John Doe
Pro Se

pbowman@bsflp.com (attorney for Plaintiffs)
rcahill@cooley.com (attorney for Plaintiffs)
ybarkai@bsflp.com (attorney for Plaintiffs)
dcampbell@dhdglaw.com (attorney for Defendant Fields)
kdunn@bsflp.com (attorney for Plaintiffs)
jfink@kaplanandcompany.com (attorney for Plaintiffs)
jgravatt@dhdglaw.com (attorney for Defendant Fields)
cgreene@kaplanandcompany.com (attorney for Plaintiffs)
wisaacson@bsflp.com (attorney for Plaintiffs)
bryan@bjoneslegal.com (attorney for Defendant League of the South)
rkaplan@kaplanandcompany.com (attorney for Plaintiffs)
alevine@cooley.com (attorney for Plaintiffs)
jlibling@bsflp.com (attorney for Plaintiffs)
dmills@cooley.com (attorney for Plaintiffs)
sstrohmeier@kaplanandcompany.com (attorney for Plaintiffs)
isuecrooks@comcast.net (attorney for Defendant Parrott)